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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,409	09/23/2004	Christoph Gerard August Hoelen	NL 020264	8032
24737	7590	02/07/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			LEE, Y MY QUACH	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/509,409

Applicant(s)

HOELEN ET AL.

Examiner

Lee Y Quach

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 13-16 is/are rejected.
- 7) ☒ Claim(s) 10-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/23/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference signs (*SI*) and (*SIcs*) as mentioned in the description.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: The titles of "TITLE OF THE INVENTION", "BACKGROUND OF THE INVENTION", "BRIEF SUMMARY OF THE INVENTION", "BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S)", "DETAILED DESCRIPTION OF THE INVENTION", "CLAIM OR CLAIMS (commencing on a separate sheet)", "ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet)" are missing. Appropriate correction is required.
4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

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5. The abstract of the disclosure is objected to because the abstract is not limited to a single paragraph on a separate sheet of paper. Correction is required. See MPEP § 608.01(b).

Claim Objections

6. Claims 1 to 16 are objected to because of the following informalities: In claims 1 to 16, the terms “characterized in that” and “in that” are not proper U.S. standard practice format. It should be changed to --wherein--. In claim 12, line 2, there is no clear antecedent basis for "the structure". It should be noted that "a structure" is first introduced in claim 11 rather than claim 10. It is suggested that the reference numeral “10” on line 1 of claim 12 should be changed to --11--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1 to 5, 7, 8, 13, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Gotoh et al.

Gotoh et al. show a light emitting panel (10) comprising a front wall (16), a rear wall (17) situated opposite to the front wall, a first edge surface (12, 34) being light transmitted, a second edge surface (14) opposite the first edge surface such that the second edge surface is reflecting with respect to light inside the panel, the surface of the second edge surface having a specularly reflecting material (paragraph 0050, lines 9 to 10), at least a first light source (22) associated with the first edge surface, the light source comprising at least two light emitting diodes (paragraph 0050, line 14) with different light emission wavelengths (red 22a, green 22b or blue 22c), light originating from the first light source incident on the first edge surface and distributed in the panel, the panel widens over a widening section from the first edge surface in a direction towards the second edge surface (figures 1B, 1C, 2B, 2C ...), the rear wall provided over the widening section with a multiplicity of steps (18) of which a surface facing the front wall is

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substantially parallel to the front wall, a further surface (19) of the steps having an angle β with respect to a normal on the front wall such as 37 degrees which is within the range of -48 degrees to 48 degrees, wherein the ratio of the surface area (T1) of the first edge surface and the largest cross section (T2) in the panel substantially parallel to the first edge surface is 1.9 (paragraph 0053, lines 12 to 14) which satisfies the relation as claimed in claims 2 and 3, and a display device comprising a liquid crystal display (2).

9. Claims 1, 6, 9, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakabayashi et al.

Nakabayashi et al. show a light emitting panel (6, 203) comprising a front wall (figures 5 and 23c), a rear wall (figure 5 and 23c) situated opposite to the front wall, a first edge surface (the light incident surface) being light transmitted, a second edge surface (figures 5 and 23c) opposite the first edge surface such that the second edge surface is light transmitting, at least a first light source (1, 212) associated with the first edge surface, a second light source (211) associated with the second edge surface, light originating from the first light source incident on the first edge surface and distributed in the panel, light originating from the second light source incident on the second edge surface and distributed in the panel, the panel widening over a widening section from the first edge surface in a direction towards the second edge surface (figures 5 and 23c), the panel widening from the second edge surface in a direction towards the first edge surface (figure 23c), the rear wall provided over the widening section with a multiplicity of steps (61, 243) of which a surface facing the front wall is substantially parallel to the front wall, a translucent diffuser (380, paragraph 0321, line 6), and a display device comprising a liquid crystal display (4, paragraph 0147, line 6).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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11. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gotoh et al. in view of Lammers.

Gotoh et al. disclose the invention substantially as claimed with the exception of having the light emitting diode at least 5 lm.

Lammers teaches that it is known in the art to use light emitting diode having at least 5 lm (column 9, lines 2 to 3) in light emitting panel display device.

It would have been obvious to one skilled in the art to provide the light emitting diode of Gotoh et al. with at least 5 lm, as shown by Lammers, for the advantage of enabling the light to be coupled into the light emitting panel with a higher efficiency, hardly emitting heat as well as issuing detrimental radiation, and to overall provide a compact illumination system.

12. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakabayashi et al. in view of Lammers.

Nakabayashi et al. disclose the invention substantially as claimed with the exception of having the light emitting diode at least 5 lm.

Lammers teaches that it is known in the art to use light emitting diodes having different wavelengths with each diode having at least 5 lm (column 9, lines 2 to 3) in light emitting panel display device.

It would have been obvious to one skilled in the art to provide the light source of Nakabayashi et al. with a plurality of light emitting diodes having different wavelengths and each having at least 5 lm, as shown by Lammers, for the advantage of enabling the light to be coupled into the light emitting panel with a higher efficiency, hardly emitting heat as well as issuing detrimental radiation, and to overall provide a compact illumination system.

13. Claims 10 to 12 are allowable if rewritten to overcome the objection set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding

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should be directed to the Customer Service whose telephone number is 571-272-2815.

Y. Q.
January 31, 2006

A handwritten signature in black ink, appearing to read 'Y Quach Lee', with a long horizontal flourish extending to the right.

Y Quach Lee
Primary Examiner
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